

OVERVIEW of the Daf

1) An animal that miscarries its first fetus (cont.)

The Gemara answers the challenge to Abaye and Rava's explanation.

A Beraisa is cited that supports the notion that one should publicize his trouble so that people will daven for him.

Ravina points out a practice that is based on this principle.

הדרן עלך בהמה המקשה

2) **MISHNAH:** The Mishnah presents numerous cases of potential violations of slaughtering an animal and its offspring on the same day and rules whether the prohibition was violated.

3) It and its offspring

A Beraisa provides the source that the prohibition of "it and its offspring" applies to sacred animals.

The exposition is unsuccessfully challenged.

The Gemara notes that according to his exposition the prohibition of "it and its offspring" should not apply to a hybrid and yet a Beraisa states that it does apply.

A discussion related to these expositions is recorded.

The Gemara cites a Beraisa that presents the disagreement between Chananyah and Rabanan mentioned earlier as to whether the prohibition of "it and its offspring" applies to male animals as well.

A Beraisa is cited that records the exposition that is the foundation of Rabanan's position that the prohibition does not apply to males.

The last line of the Beraisa is clarified. ■

REVIEW and Remember

1. Why is it important for the metzora to make his condition known to others ?
2. What is the source that the prohibition of "it and its offspring" applies to sanctified animals ?
3. What is the point of dispute between R' Yoshia and R' Yonason ?
4. What is the point of dispute between Chananyah and Rabanan ?

*Today's Daf Digest is dedicated by Dr. and Mrs. Justin Gordon
in loving memory of their father
ר' יחיאל בן ר' יהודה אביגדור, ע"ה*

*Today's Daf Digest is dedicated by Dr. and Mrs. Jerry Noble
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מרת פרומא בת ר' חיים לייב, ע"ה*

Distinctive INSIGHT

Calling out for help

וטמא טמא יקרא, צריך להודיע לרבים

When a metzora leaves the camp, he declares, "Impure! Impure!" Vayikra 13:45 He informs everyone about his condition of suffering as he exits the camp, in order for the community to respond and daven for him and ask that he be cured.

Why is a metzora different from any other person who is ill, in that he must inform the community about his condition and ask that they daven on his behalf? In fact, the rule is that the prayers of the person who is ill are more cherished to God than the prayers of anyone else who may be davening on his behalf. (see Rashi, Bereshis 21:17) Therefore, we should have expected an emphasis to be placed upon the prayers of his own self, rather than the fact that he appeals to others to daven for him.

Yalkut HaUrim answer this question based upon the Zohar. "Why is the metzora called a מוֹסֵר during the period of his isolation and confinement? It is because his prayers are closed off from ascending to the heavens." The metzora caused damage with his mouth by engaging in evil slander. Therefore, measure for measure, his verbal requests to God are banished. The metzora must appeal to the community at large to daven for him because his ability to daven for himself has become impaired.

In his Commentary to the Torah, Rashi explains that the purpose of this declaration is for others to be able to avoid contact with the metzora and his state of impurity. The source of the comment of Rashi is the Gemara in Moed Katan (5a). The purpose of the announcement is to protect the public from becoming contaminated with impurity. Our Gemara states that the metzora is asking others to daven for him. In other words, our Gemara sees this as a method to protect and heal the metzora, as the community will pray on his behalf to cure him.

The verse seems to reflect the interpretation of Rashi, that the words of the metzora are meant as a warning for others to stay away from contact with him. Where is there any indication in the verse for the insight of our Gemara in Chullin?

Targum Onkelos translates the words of the metzora as, "Do not become impure!" Instead of simply translating it as "I am impure," where the afflicted person speaks of himself, Onkelos changes the words to reflect how others should react - "Stay away and do not become impure!"

It seems that this, then, is the key to the full meaning of the verse. If the purpose of the warning was simply to alert others to steer clear, the verse should have said, "Do not become impure!" Yet, the wording is "I am impure!", where the metzora focuses his attention on his own condition, seemingly without direct regard as to how it affects others. This is the hint that he is issuing an appeal to others to be aware of his plight, and that they should pray in order to help alleviate his suffering. ■

HALACHA Highlight

The prohibition of slaughtering an animal and its offspring on the same day

השוחט אותו ואת בנו ... שניהם כשרים

If one slaughters an animal and its offspring ... both are kosher

The Mishnah states that if one slaughtered an animal and one of its offspring on the same day the second slaughterer incurs lashes for violating the prohibition but both animals are permitted for consumption. Rishonim wonder why it was necessary for the Mishnah to teach that both animals are kosher, why would one think that one or both of the animals should be prohibited? Tosafos¹ answers that one may have thought that the second animal should not be fit for consumption based on the pasuk that states (Devarim 14:13), **לא תאכל כל תועבה** – one may not eat any abominable thing. This is understood to mean that anything that God has declared as abominable may not be eaten. Accordingly, since a transgression was committed when the second animal was slaughtered one may have thought that it may not be consumed. Therefore, the Mish-

nah teaches that even the second animal is permitted for consumption. Ran² maintains that although the second animal is Biblically permitted it is prohibited for consumption on the day that it was slaughtered. This is similar to the Rabbinic restriction against eating food that was cooked on Shabbos in violation of Shabbos.

The Gemara Temurah (4a) cites Rava who teaches that whenever the Torah states that something should not be done if it was done anyways it is ineffective. Seemingly if this principle were applied to our case the result would be that the animal that was slaughtered second should be prohibited since it was slaughtered in violation of the prohibition. Pri Megadim³ answers that Rava's principle applies when an act is inherently prohibited but not when the prohibition is circumstantial. The act of slaughter is not inherently prohibited. The prohibition in this case is that once the first animal was slaughtered the Torah prohibits slaughtering the second one on the same day. Since the prohibition is circumstantial rather than inherent Rava's principle does not apply. ■

¹ תוס' פ. ד"ה חולין בחוץ.

² ר"ן כ"ז. בדפי הר"י ד"ה אותו.

³ פרי מגדים ש"ד יו"ד סי' ט"ס סק"י. ■

STORIES off the Daf

A Higher Mercy

"אותו ואת בנו..."

A burning issue for many people today is how animals are to be treated according to halachah. Although it is obviously forbidden to cause animals needless pain due to the prohibition of **צער בעלי חיים**, some people feel that this is not enough. Others go so far as to claim that one should be obligated to abstain from meat.

When a Shabbos guest—a vegetarian—asked his host why treatment of animals is not regulated strictly according to halachah as matters of kashrus are, he received a solid answer.

The host responded, "Ramban explains that one purpose of the mitz-

vos is to rectify our negative character traits. Mitzvos such as shechitah, as well as not slaughtering the mother and baby animal on the same day are to help us avoid becoming cruel. He explains that the various mitzvos are clearly not motivated by our common notions of mercy for the animal. What is his reasoning? Ramban wrote, 'The proof that these mitzvos are not to treat the animals with mercy is simple. If the purpose was mercy on the animals, why slaughter them in the first place? We see, then, that the purpose of these mitzvos is to refine our character traits. But there is no reason to abstain from eating animals and the like since they are here for our use. When something is required to fill human need, even if it pains the animal, it is permitted. And this is why we find that one should stifle the person who claims that God's decrees are moti-

vated by our notions of mercy. They are not. They are decrees for reasons we cannot possibly fathom.'¹

The host then appealed to his guest, "Isn't it interesting how Ramban first says that the mitzvos are meant to refine us, and then he concludes that their underlying reasons transcend human understanding? We are limited by human ideas of mercy on the animals; we lack a sense of how all of creation is constantly yearning to fulfill God's will—even if it means shechitah!" ■

¹ רמב"ן, פרשת כי תצא

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as a zechus
for a refuah sheleimah for*

**אברהם גרשון בן ציפי
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